

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KEVIN YOUNG,	:	CIVIL ACTION
	:	
Plaintiff,	:	NO. 08-4648
	:	
v.	:	
	:	
WENDY DEMCHICK, et. al.	:	
	:	
Defendants.	:	

FILED

JUN 25 2009

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

MEMORANDUM AND ORDER

Slomsky, J.

June 24, 2009

By Memorandum and Order dated February 2, 2009, this Court granted Plaintiff Kevin Young leave to proceed in forma pauperis and dismissed Plaintiff's initial complaint against fifty (50) defendants in this civil action pursuant to 28 U.S.C. 1915(e). (See Docket No. 15). The Memorandum and Order granted Plaintiff thirty (30) days to file an amended complaint, specifying:

If plaintiff intends to pursue this case, he must file an amended complaint which contains all of his claims, and in which he describes as legibly, clearly and briefly as possible: (1) the specific events or conditions which violated his constitutional rights; (2) the name and place of employment of each person who violated his constitutional rights; (3) the dates on which his constitutional rights were violated; (4) the harm he suffered if any, from each violation; and (5) the specific relief he is requesting.

(See Docket No. 15). Since the issuance of the Memorandum and Order, Plaintiff on several occasions has requested an extension of time in which to file his Amended Complaint. (See Docket Nos. 17, 18, and 24). On May 27, 2009, this Court granted Plaintiff an additional thirty (30) days to submit his Amended Complaint. (See Docket No. 22).

On May 19, 2009, Plaintiff submitted over 1,100 pages of materials to the Court. (See

Docket No. 19). On June 4, 2009, Plaintiff requested the Court to provide him with a detailed description of the materials he had submitted. (See Docket No. 23). The Court has reviewed Plaintiff's submissions, and cannot grant this request. Plaintiff's submissions are in poor condition, disorganized, and often illegible. The documents contain countless allegations, demands, medical records, documentation of conversations, and descriptions of injuries suffered by Plaintiff.

The submissions, however, do not comply with the requirements for submitting an Amended Complaint or with this Court's Order dated February 2, 2009 as quoted above. Plaintiff must adhere to the Federal Rules of Civil Procedure and the Order of February 2, 2009 and file an Amended Complaint that can be properly responded to by Defendants.

Plaintiff's Amended Complaint must contain a short description that explains why this Court has jurisdiction over this civil action. Fed. R. Civ. P. 8(a)(1). In accordance with the Order of February 2, 2009, Plaintiff's Amended Complaint must set forth a clear statement of facts that support Plaintiff's claim for relief. Further, Plaintiff must allege what constitutional or statutory rights were violated. Fed. R. Civ. P. 8(a)(2). Additionally, Plaintiff's Amended Complaint must contain what relief he wishes the Court to grant. Fed. R. Civ. P. 8(a)(3). Each statement that Plaintiff makes in his Amended Complaint should appear in a numbered paragraph. Fed. R. Civ. P. 10(b).

Furthermore, Plaintiff should re-submit any documents sent to the Court and filed under Docket No. 19 as "Exhibits", if he wishes to incorporate them in his Amended Complaint. If Plaintiff clearly labels any document he is submitting in conjunction with his Amended Complaint as an Exhibit (i.e. medical records, letters of termination, bank account statements, inmate health reports, prescription receipts, etc.), it will be adopted by reference by the Court.

Fed. R. Civ. P. 10(c). In the alternative, Plaintiff may submit the documents during discovery.

Fed. R. Civ. P. 34.

The Court is mindful of the difficulties in complying with Court rules and Orders faced by a litigant who is appearing without counsel. However, the underlying fundamental duties of the Court are to (a) maintain justice, (b) avoid delay, and (c) improve the efficiency of dispute resolution. Fed R. Civ. P. 1; see also Brown v. City of Philadelphia, 2009 WL 1011966 at *14. Accordingly, if Plaintiff wishes to proceed in this civil action he must submit an Amended Complaint that adheres to the Federal Rules of Civil Procedure. The Court will grant Plaintiff an additional thirty (30) day extension from the date of this Order to file an Amended Complaint which complies with this Memorandum and Order. If Plaintiff fails to submit an Amended Complaint in compliance with this Memorandum and Order, the Court will consider dismissing the case with prejudice.

An appropriate order follows.